

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ONONDAGA

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ROBERT PAZDZIERSKI

Plaintiff,

-v-

DASEKE & CO., INC., ONX1, LLC,  
AND BIG GREIGHTS SYSTEMS, INC.

Defendants.

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Index No.: 006524/2021

Purchase Date: 07/26/2021

NOTICE OF ELECTRONIC FILING  
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(Uniform Rule § 202.5-bb)

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Court contact information can be found at [www.nycourts.gov](http://www.nycourts.gov)

To find legal information to help you represent yourself visit [www.nycourthelp.gov](http://www.nycourthelp.gov)

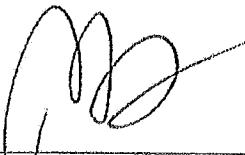
**Information for Attorneys**  
(E-filing is Mandatory for Attorneys)

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- 1) Immediately record his or her representation within the e-filed matter on the NYSCEF site [www.nycourts.gov/efile](http://www.nycourts.gov/efile); or
- 2) File the Notice of Opt-Out form with the clerk of the court where this action is pending and serve on all parties. Exemptions from mandatory e-filing are limited to attorneys who certify in good faith that they lack the computer hardware and/or scanner and/or internet connection or that they lack (along with all employees subject to their direction) the knowledge to operate such equipment. [Section 202.5-bb(e)]

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Dated: July 26, 2021



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Robert A. Quattrocci, Esq.  
215 Burnet Avenue  
Syracuse, NY 13203  
(315) 474-3742  
[Rquattrocci@stanleylawoffices.com](mailto:Rquattrocci@stanleylawoffices.com)

To: Daseke & Co., Inc.  
6 Corporate Drive  
White Plains, New York 10604

Onx1, LLC  
127 Fairbanks Avenue  
Winter Park, FL 32789

Big Freight Systems, Inc.  
10 Hutchings Street  
Whinnipeg, MB R2X 2X1

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NYSCEF DOC. NO. 1

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ONONDAGA

ROBERT PAZDIERSKI,

Plaintiff,

-v-

DASEKE & CO, INC., ONX1, LLC  
AND BIG FREIGHTS SYSTEMS, INC,

Defendants.

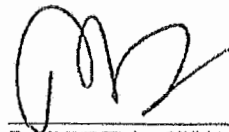
Index No.:

Date Purchased:

SUMMONS

Plaintiff designates  
ONONDAGA County as  
the place of trial.The basis of venue is:  
Plaintiff's ResidencePlaintiff resides at:  
4298 Amberwood Lane  
Clay, New York**To the above named Defendants:**

**You are hereby summoned** to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiff's attorneys within twenty days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: July 15, 2021  
Syracuse, NYROBERT A. QUATTROCCI, ESQ.  
Stanley Law Offices, LLP  
Attorneys for Plaintiff  
215 Burnet Avenue  
Syracuse, New York 13203  
315-474-3742

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TO: Daseke & Co, Inc.  
6 Corporate Drive  
White Plains, New York 10604

Onx1, LLC  
127 Fairbanks Avenue  
Winter Park, FL 32789

Big Freight Systems, Inc.  
10 Hutchings Street  
Winnipeg MB R2X 2X1

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ONONDAGA

ROBERT PAZDZIERSKI,

Plaintiff,

## COMPLAINT

-v-

Index No.: 006524/2021  
Date Purchased: 07/26/2021DASEKE & CO., INC., ONXI, LLC  
AND BIG FREIGHTS SYSTEMS, INC.,

Defendants.

Plaintiff, by his attorneys, STANLEY LAW OFFICES, complaining of Defendant, respectfully alleges, upon information and belief:

1. That at all times herein mentioned, Plaintiff was and still is an individual residing at 4298 Amberwood Lane, Clay, New York.
2. Upon information and belief, that at all times herein mentioned, Defendant Daseke & Co., Inc. is a foreign corporation licensed to do business in the State of New York with a business address of 6 Corporate Drive, White Plains, New York.
3. Upon information and belief, that at all times mentioned, defendant Onxi, LLC is a limited liability corporation with a business address located at 127 Fairbanks Avenue, Winter Park, Florida.
4. Upon information and belief, that at all times mentioned, defendant Big Freights Systems, Inc. is a foreign corporation licensed to do business in the State of New York with a business address of 10 Hutchings Street, Winnipeg, MB, Canada.
5. Upon information and belief, that at all times herein mentioned, on January 21, 2019, defendant

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Onx1, LLC was the owner of a property located at 6600 New Venture Gear Road, Syracuse, New York.

6. Upon information and belief, on or before, January 21, 2019, defendant Big Freight Systems, Inc. delivered a trailer to 6600 New Venture Gear Road, Syracuse, New York.
7. Upon information and belief, defendant Daseke & Co., Inc. was the owner of that trailer.
8. That on or about January 21, 2019, Plaintiff was lawfully on the aforesaid premises and engaged in the course of his employment.
9. That on or about January 21, 2019, Plaintiff while lawfully engaged in the course of his employment was erecting the trailer that was delivered to the property.
10. That on or about January 21, 2019, while erecting the trailer he was struck by a falling object and sustained serious injuries.
11. That the Defendant, his agents, servants and/or employees, had the duty to provide the Plaintiff with a safe place to work.
12. That the Defendant, his agents, servants and/or employees, had the non-delegable duty to see that the work area was kept reasonably safe and free of dangers and hazards to those workers lawfully thereat.

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13. Upon information and belief, and at all times hereinafter mentioned, this action falls within one or more of the exceptions set forth in CPLR Section 1602, specifically Sections 2 and 7 thereof.

AS AND FOR A FIRST CAUSE OF ACTION AGAINST THE DEFENDANT, PLAINTIFF RESTATES AND REALLEGES EACH AND EVERY ALLEGATION CONTAINED IN PARAGRAPHS MARKED AND ENUMERATED "1" - "13" AS IF HEREINAFTER SET FORTH IN FULL, AND FURTHER ALLEGES

14. Upon information and belief, the Defendants, their partners, officers, members, agents, servants and/or employees were negligent, reckless, and careless in allowing a dangerous condition to exist on the aforementioned premises for an extensive period of time and they failed to warn the Plaintiff of the dangerous and defective condition. The Defendant, their partners, officers, members, and/or agents were further negligent, reckless, and careless in their failure to exercise due diligence in supervising, training, apprising and instructing its employees and/or servants in their work and in the safe maintenance and general upkeep of the aforementioned property, thereby creating an unsafe condition for persons lawfully frequenting the area, the Plaintiff in particular. The Defendants, their partners, officers, members, and/or agents were further negligent, reckless, and careless in their failure to provide adequate barricades, warning signs, signals, or other devices to warn and apprise the Plaintiff of the danger existing at the time and place of said accident. The Defendants, their partners, officers, members, agents, servants and/or employees were further negligent, in failing to erect the trailer. The Defendants were further negligent, reckless, and careless in failing to use reasonable and ordinary due care under the circumstances.

15. That as a result of the negligence, recklessness and carelessness of the Defendants, their



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partners, officers, members, agents, servants and/or employees the Plaintiff was caused to sustain serious personal injuries including but not limited to multiple vertebrae and damages in the amount that exceeds the jurisdictional limits of all lower courts.


AS AND FOR A SECOND CAUSE OF ACTION AGAINST THE DEFENDANT, PLAINTIFF RESTATES AND REALLEGES EACH AND EVERY ALLEGATION CONTAINED IN PARAGRAPHS MARKED AND ENUMERATED "1" - "15" AS IF HEREINAFTER SET FORTH IN FULL, AND FURTHER ALLEGES

16. The Defendant violated New York State Labor Law Sections 200, 240(1) and 241(6) and the rules and regulations promulgated thereunder.

17. That as a result of the aforesaid statutory violations, the Plaintiff suffered serious and permanent personal injuries.

WHEREFORE, Plaintiff demands judgment against the Defendants on the Causes of Actions described above in the sum that exceeds the jurisdictional limits of all lower courts together with the costs and disbursements of this action and for such other relief as this Court deems just and proper.

Dated: July 15, 2021  
Syracuse, NY



ROBERT A. QUATTROCCI, ESQ.  
Stanley Law Offices, LLP  
Attorneys for Plaintiff  
215 Burnet Avenue  
Syracuse, New York 13203  
315-474-3742

TO: Daseke & Co, Inc.  
6 Corporate Drive  
White Plains, New York 10604



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## VERIFICATION BY AFFIDAVIT

STATE OF NEW YORK     )  
COUNTY OF ONONDAGA )ss.:

Robert Pazdzierski, being duly sworn, says:

I am a Plaintiff in the action herein: I have read the annexed **Summons and Complaint** and know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and as to those matters, I believe them to be true. My belief as to those matters therein not stated upon knowledge, is based upon facts, records, and other pertinent information contained in my personal files.

DATED: 7/10/21

Robert Pazdzierski  
Robert Pazdzierski

Sworn to before me this 10<sup>th</sup>  
day of July 2021

Edina Osmanovic  
NOTARY PUBLIC

Edina Osmanovic  
Notary Public State of New York  
01056313868  
Qualified in Onondaga County  
Commission Expires Oct 27, 2022